

Courtesy copy
of the International
Preliminary Report on
Patentability with annexes
containing page 2 to be
substituted for original
specification page 2 and
claims 1-6 to be substituted
for original claims 1-9 for
examination in this case.


PATENT COOPERATION TREATY

PCT

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

(Chapter II of the Patent Cooperation Treaty)

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference 26501	FOR FURTHER ACTION		See Form PCT/PEA/416
International application No. PCT/EP2005/003249	International filing date (day/month/year) 23.03.2005	Priority date (day/month/year) 09.04.2004	
International Patent Classification (IPC) or national classification and IPC INV. F02M37/22 B01D35/143			
Applicant UFI FILTERS S.P.A. et al.			
<p>1. This report is the international preliminary examination report, established by this International Preliminary Examining Authority under Article 35 and transmitted to the applicant according to Article 36.</p> <p>2. This REPORT consists of a total of 5 sheets, including this cover sheet.</p> <p>3. This report is also accompanied by ANNEXES, comprising:</p> <p style="margin-left: 20px;">a. <input checked="" type="checkbox"/> sent to the applicant and to the International Bureau) a total of 3 sheets, as follows:</p> <p style="margin-left: 40px;"><input type="checkbox"/> sheets of the description, claims and/or drawings which have been amended and are the basis of this report and/or sheets containing rectifications authorized by this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions).</p> <p style="margin-left: 40px;"><input type="checkbox"/> sheets which supersede earlier sheets, but which this Authority considers contain an amendment that goes beyond the disclosure in the international application as filed, as indicated in item 4 of Box No. I and the Supplemental Box.</p> <p style="margin-left: 20px;">b. <input type="checkbox"/> (sent to the International Bureau only) a total of (indicate type and number of electronic carrier(s)) , containing a sequence listing and/or tables related thereto, in electronic form only, as indicated in the Supplemental Box Relating to Sequence Listing (see Section 802 of the Administrative Instructions).</p>			
<p>4. This report contains indications relating to the following items:</p> <p><input checked="" type="checkbox"/> Box No. I Basis of the report</p> <p><input type="checkbox"/> Box No. II Priority</p> <p><input type="checkbox"/> Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability</p> <p><input type="checkbox"/> Box No. IV Lack of unity of invention</p> <p><input checked="" type="checkbox"/> Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement</p> <p><input type="checkbox"/> Box No. VI Certain documents cited</p> <p><input type="checkbox"/> Box No. VII Certain defects in the international application</p> <p><input checked="" type="checkbox"/> Box No. VIII Certain observations on the international application</p>			
Date of submission of the demand 06.02.2006		Date of completion of this report 17.05.2006	
Name and mailing address of the international preliminary examining authority:  European Patent Office - P.B. 5818 Patentlaan 2 NL-2280 HV Rijswijk - Pays Bas Tel. +31 70 340 - 2040 Tx: 31 651 epo nl Fax: +31 70 340 - 3016		Authorized officer Van Zoest, A Telephone No. +31 70 340-3796	



**INTERNATIONAL PRELIMINARY REPORT
ON PATENTABILITY**

10/594958
IAP2 Rec'd PCT/PTO 29 SEP 2006

International application No.
PCT/EP2005/003249

Box No. I Basis of the report

1. With regard to the **language**, this report is based on the international application in the language in which it was filed, unless otherwise indicated under this item.
- ☐ This report is based on translations from the original language into the following language , which is the language of a translation furnished for the purposes of:
- ☐ international search (under Rules 12.3 and 23.1(b))
 - ☐ publication of the international application (under Rule 12.4)
 - ☐ international preliminary examination (under Rules 55.2 and/or 55.3)
2. With regard to the **elements*** of the international application, this report is based on *(replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report):*

Description, Pages

1, 3-6 as originally filed
2 received on 08.02.2006 with letter of 06.02.2006

Claims, Numbers

1-6: received on 08.02.2006 with letter of 06.02.2006

Drawings, Sheets

1/2, 2/2 as originally filed

- ☐ a sequence listing and/or any related table(s) - see Supplemental Box Relating to Sequence Listing
3. ☐ The amendments have resulted in the cancellation of:
- ☐ the description, pages
 - ☐ the claims, Nos.
 - ☐ the drawings, sheets/figs
 - ☐ the sequence listing (*specify*):
 - ☐ any table(s) related to sequence listing (*specify*):
4. ☐ This report has been established as if (some of) the amendments annexed to this report and listed below had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).
- ☐ the description, pages
 - ☐ the claims, Nos.
 - ☐ the drawings, sheets/figs
 - ☐ the sequence listing (*specify*):
 - ☐ any table(s) related to sequence listing (*specify*):

* If item 4 applies, some or all of these sheets may be marked "superseded."

**INTERNATIONAL PRELIMINARY REPORT
ON PATENTABILITY**

International application No.
PCT/EP2005/003249

Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Yes: Claims	1-6
	No: Claims	
Inventive step (IS)	Yes: Claims	1-6
	No: Claims	
Industrial applicability (IA)	Yes: Claims	1-6
	No: Claims	

2. Citations and explanations (Rule 70.7):

see separate sheet

Box No. VIII Certain observations on the international application

The following observations on the clarity of the claims, description, and drawings or on the question whether the claims are fully supported by the description, are made:

see separate sheet

Re Item V.

- 1 Newly filed claim 1 = originally filed claims 1 + 2
Newly filed claims 2-6 = originally filed claims 3,4,7-9
2. Document D1, which is considered to represent the most relevant state of the art, discloses (the references in parenthesis applying to this document):
A device for indicating clogging of a filter, the filter comprising an outer casing (4) closed by a cover (11) of amagnetic material, and a filter element (1) which, together with the disc (9) to which it is connected, defines two chambers for fuel entry (5) and exit (7) respectively, and comprising a pressure sensor means (15) sensing the difference between the entry and exit fuel pressure and housed inside the filter casing, and a means for generating a signal (20) proportional to said pressure difference which is not mechanically connected to the pressure sensor means and is located outside the filter casing.
(see page 1, line 70- page 2, line 38; figure 1)

From this the subject-matter of independent claim 1 differs in that:
the pressure sensor means of the indicator device according to the invention comprises an elastically deformable element which defines a variable volume inside the fuel entry or exit chamber; a conduit which connects said volume to the other chamber; and a magnet which, associated with the flexible element, moves to follow its elongation or contraction.

The subject matter of claim 1 is therefore novel (Art 33(2) PCT)

The problem to be solved by the present invention may be regarded as how to make the clogging indicating means more simple.

The solution to this problem proposed in claim 1 of the present application is considered as involving an inventive step (Article 33(3) PCT), because the construction and arrangement of the pressure sensor means in the fuel entry chamber of the fuel filter is not known from nor rendered obvious by the available prior art.

3. Claims 2-6 are dependent on claim 1 and as such also meet the requirements of the PCT with respect to novelty and inventive step.

Re Item VIII.

1. The application does not meet the requirements of Article 6 PCT, because claim 1 is not clear. The reasons for this being as follows:

Although claim 1 relates to a device indicating clogging, it seeks to define the invention by reference to features of another device (i.e. a fuel filter) for which it has to be used. This results in a lack of clarity (Art. 6 PCT).

2. In order to solve this lack of clarity claim 1 and the dependent claims 2-6 should be directed to a fuel filter with a device for indicating clogging.